

**Senate File 244 - Introduced**

SENATE FILE 244

BY JOCHUM

**A BILL FOR**

1 An Act concerning absences from work by veterans and members of  
2 the military.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 29A.43, subsection 1, Code 2017, is  
2 amended to read as follows:

3 1. A person shall not discriminate against any officer or  
4 enlisted person of the national guard or organized reserves  
5 of the armed forces of the United States or any member of the  
6 civil air patrol because of that membership. An employer,  
7 or agent of an employer, shall not discharge a person from  
8 employment because of being an officer or enlisted person of  
9 the military forces of the state or member of the civil air  
10 patrol, or hinder or prevent the officer or enlisted person or  
11 member of the civil air patrol from performing any military  
12 service or civil air patrol duty the person is called upon  
13 to perform by proper authority. A member of the national  
14 guard or organized reserves of the armed forces of the United  
15 States ordered to temporary duty or service, as defined in  
16 section 29A.1, subsection 3, 8, or 12, or a member of the  
17 civil air patrol performing duty pursuant to [section 29A.3A](#),  
18 for any purpose is entitled to a leave of absence during  
19 the period of the duty or service, from the member's private  
20 employment unless the employment is of a temporary nature.  
21 Upon completion of the duty or service, the employer shall  
22 restore the person to the position held prior to the leave of  
23 absence or employ the person in a position of like seniority,  
24 status, and pay. However, the person shall give evidence to  
25 the employer of satisfactory completion of the duty or service,  
26 and that the person is still qualified to perform the duties  
27 of the position. The period of absence shall be construed as  
28 an excused absence with leave, and shall in no way affect the  
29 employee's rights to vacation, sick leave, bonus, or other  
30 employment benefits relating to the employee's particular  
31 employment or be considered an absence that would affect the  
32 employee's rights for any bonus or other employee benefit  
33 provided by the employer based on attendance at work.

34 Sec. 2. Section 91A.5A, subsection 1, Code 2017, is amended  
35 to read as follows:

1 1. An employer shall provide each employee who is a  
2 veteran, as defined in [section 35.1](#), with holiday time off for  
3 Veterans Day, November 11, if the employee would otherwise be  
4 required to work on that day, as provided in [this section](#). If  
5 an employee is provided holiday time off for Veterans Day as  
6 provided in this section, the employer shall not classify the  
7 time off as an absence from work for purposes of determining  
8 whether the employee is eligible for any benefit or bonus  
9 provided by the employer based on attendance at work.

10

EXPLANATION

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The inclusion of this explanation does not constitute agreement with  
12 the explanation's substance by the members of the general assembly.

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13 This bill concerns absences from work by members of the  
14 military and veterans.

15 Code section 29A.43, concerning leaves of absence from  
16 employment by any officer or enlisted person of the national  
17 guard or organized reserves of the armed forces of the United  
18 States or any member of the civil air patrol, is amended. The  
19 bill provides that any absence from work based on that military  
20 membership shall be considered an excused absence with leave  
21 and shall not be considered an absence that would affect the  
22 employee's rights for any bonus or other employee benefit  
23 provided by the employer based on attendance at work.

24 Code section 91A.5A, concerning Veterans Day off for  
25 veterans, is amended to provide that if a veteran is provided  
26 Veterans Day off, the employer shall not classify the time off  
27 as an absence from work for purposes of determining whether the  
28 employee is eligible for any benefit or bonus provided by the  
29 employer based on attendance at work.